

W B
32
AC2
L 4a
1945

California. Laws, Statutes, etc

Act Regulating the Practice of
Chiropractic.

WB 32 AC2 L4a 1945

32110180R



NLM 05150521 8

NATIONAL LIBRARY OF MEDICINE

ARMY MEDICAL LIBRARY

FOUNDED 1836



WASHINGTON, D.C.

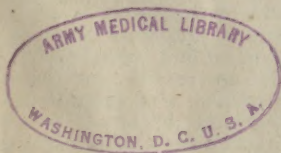


71268

ACT REGULATING THE PRACTICE OF CHIROPRACTIC IN THE STATE OF CALIFORNIA

ALSO NEW AND REVISED RULES
AND METHOD OF PROCEDURE

California. Laws, statutes, etc.



STATE BOARD OF
CHIROPRACTIC EXAMINERS,
SACRAMENTO

WB
32
ACR
L4a
1945

printed in CALIFORNIA STATE PRINTING OFFICE



THE CHIROPRACTIC ACT OF CALIFORNIA

An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

The people of the State of California do enact as follows:

SECTION 1. A board is hereby created to be known as the "State Board of Chiropractic Examiners," hereinafter referred to as the board, which shall consist of five members, citizens of the State of California, appointed by the Governor. Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom.

Each member of the board first appointed hereunder shall have practiced chiropractic in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder. No two persons shall serve simultaneously as members of said board, whose first diplomas were issued by the same school or college of chiropractic, nor shall more than two members be residents of any one county of the State. And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board. Each member of the board, except the secretary, shall receive a per diem of ten dollars for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem, traveling expenses and other incidental expenses of the board or of its members to

be paid out of the funds of the board hereinafter defined and not from the State's taxes.

SEC. 2. Within sixty days of the date upon which this act takes effect, the Governor shall appoint the members of the board. Of the members first appointed, one shall be appointed for a term of one year, two for two years, and two for three years. Thereafter, each appointment shall be for the term of three years, except that an appointment to fill a vacancy shall be for the unexpired term only. Each member shall serve until his successor has been appointed and qualified. The Governor may remove a member from the board after receiving sufficient proof of the inability or misconduct of said member.

SEC. 3. The board shall convene within thirty days after the appointment of its members, and shall organize by the election of a president, vice president and secretary, all to be chosen from the members of the board. Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of three members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The secretary shall receive a salary to be fixed by the board in an amount not exceeding one thousand dollars per annum, but not per diem, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at all times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the Governor a report of all receipts and

disbursements and of the proceedings of the board for the preceding fiscal year.

SEC. 4. The board shall have power:

(a) To adopt a seal, which shall be affixed to all licenses issued by the board.

(b) To adopt from time to time such rules and regulations as the board may deem proper and necessary for the performance of its work, copies of such rules and regulations to be filed with the Secretary of State for public inspection.

(c) To examine applicants and to issue and revoke licenses to practice chiropractic, as herein provided.

(d) To summon witnesses and to take testimony as to matters pertaining to its duties; and each member shall have power to administer oaths and take affidavits.

(e) To do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed.

SEC. 5. It shall be unlawful for any person to practice chiropractic in this State without a license so to do. Any person wishing to practice chiropractic in this State shall make application to the board fifteen days prior to any meeting thereof, upon such form and in such manner as may be provided by the board. Each application must be accompanied by a license fee of twenty-five dollars and a certificate showing good moral character of the applicant. Except in the cases herein otherwise prescribed, each applicant shall be a graduate of an incorporated chiropractic school or college which teaches a course of not less than two thousand four hundred hours, extended over a period of three school terms of at least six months each, and must give satisfactory proof of having attended not less than ninety per cent of said two thousand four hundred hours, and shall present to the board at the time of making such application, a diploma from a high school, or proof, satisfactory to the board, of education, equivalent in training power to a high school course.

The schedule of minimum educational requirements to enable any person to practice chiropractic in this State is as follows, to wit, except as herein otherwise provided:

Anatomy -----	600 hours
Histology -----	100 hours
Elementary chemistry and Toxicology--	100 hours
Physiology -----	200 hours
Bacteriology -----	100 hours
Hygiene and sanitation-----	100 hours
Pathology -----	200 hours
Diagnosis or analysis-----	400 hours
Chiropractic theory and practice-----	500 hours
Obstetrics and gynecology-----	100 hours
Total -----	2400 hours

SEC. 6. (a) The board shall meet as a board of examiners on the first Tuesday following the second Monday of January and July of each year, and at such other times and places as may be found necessary for the performance of their duties. The office of the board shall be in the city of Sacramento. Suboffices may be established in Los Angeles and San Francisco, and such records as may be necessary may be transferred temporarily to such suboffices. Legal proceedings against the board may be instituted in any one of said three cities.

(b) Each applicant shall be designated by a number instead of the name, so that the identity will not be disclosed to the examiners until the papers are graded.

(c) All examinations shall be in writing, except in cases herein otherwise prescribed, and shall be practical in character, as taught in chiropractic schools and colleges, and designed to ascertain the fitness of the applicant to practice chiropractic. Said examinations shall be in each of the subjects as set forth in section five hereof. A license shall be granted to any applicant who shall make a general average of seventy-five per cent, and not fall below sixty per cent in more than two subjects or branches of said examination. Any applicant failing to make the required grade shall be given credit for the branches passed, and may, without further costs, take the examination at the next regular

examination on the subjects in which he failed. For each year of actual practice since graduation the applicant shall be given a credit of one per cent on the general average.

SEC. 7. One form of certificate shall be issued by the board of chiropractic examiners, which said certificate shall be designated "License to practice chiropractic," which license shall authorize the holder thereof to practice chiropractic in the State of California as taught in chiropractic schools or colleges; and, also, to use all necessary mechanical, and hygienic and sanitary measures incident to the care of the body, but shall not authorize the practice of medicine, surgery, osteopathy, dentistry or optometry, nor the use of any drug or medicine now or hereafter included in *materia medica*.

SEC. 8. Any person who shall have practiced chiropractic for two years after graduation from a chiropractic school or college, one year of which shall have been in this State preceding the date upon which this act takes effect, or any person who graduated from a chiropractic school or college prior to January 1, 1922, and who shall present to the board satisfactory proof of good moral character and having pursued a resident course of not less than two thousand hours in a legally incorporated chiropractic school or college, shall be given a practical and clinical examination in chiropractic philosophy and practice, and if he, or she, make a grade of seventy-five per cent in such examination, the board shall grant a license to said applicant to practice chiropractic in this State under the provisions of this act; provided, however, that application for said license is made within six months of the date upon which this act takes effect and that each applicant shall pay to the secretary of the board the sum of twenty-five dollars.

SEC. 9. Notwithstanding any provision contained in any other section of this act the board, upon receipt of the fee of twenty-five dollars, shall issue a license to any of the following named persons:

(a) To each member of the board.

(b) To any person licensed to practice chiropractic under the laws of another State, having the same general requirements as prescribed in this act; and provided, further, that such other State in like manner grants reciprocal registration to chiropractic practitioners of this State.

SEC. 10. (a) The board shall refuse to grant, or may revoke, a license to practice chiropractic in this State, or may cause a licensee's name to be removed from all records of licensed practitioners of chiropractic in this State, upon any of the following grounds, to wit:

The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising. Any person who is a licentiate, or who is an applicant for a license to practice chiropractic, against whom any of the foregoing grounds for revoking or refusing a license is pre-

presented to the board with a view of having the board revoke or refuse to grant a license, shall be furnished with a copy of the complaint, and shall have a hearing before the board in person or by an attorney, and witnesses may be examined by the board respecting the guilt or innocence of the accused. The secretary in all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the-----day of-----," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars upon the issuance of a new license.

SEC. 11. (a) Every person who shall receive a license from the board shall have it recorded in the office of the county clerk of the county in which he resides, and shall have it likewise recorded in the counties into which he shall subsequently move for the purpose of practicing chiropractic.

(b) The failure or the refusal on the part of the holder of a license to have it recorded before he shall begin to practice chiropractic in this State,

after having been notified by the board to do so, shall be sufficient ground to revoke or cancel a license and to render it null and void.

(c) The county clerk of each county in this State shall keep for public inspection, in a book provided for that purpose, a complete list and description of the licenses recorded by him. When any such license shall be presented to him for record he shall stamp upon the face thereof his signed memorandum of the date when such license was presented for record.

SEC. 12. Each person practicing chiropractic within this State shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said board of chiropractic examiners a renewal fee of two dollars. The secretary shall, on or before November first of each year, mail to all licensed chiropractors in this State a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee of two dollars during the time his or her license remains in force shall, after a period of sixty days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of ten dollars, except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of sixty days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

SEC. 13. Chiropractic licentiates shall observe and be subject to all State and municipal regulations relating to all matters pertaining to the public health, and shall sign death certificates and

make reports as required by law to the proper authorities, and such reports shall be accepted by the officers of the departments to which the same are made.

SEC. 14. All moneys received by the board under this act shall be paid to the secretary of said board, who shall give a receipt for the same and shall at the end of each month report to the State Controller the total amount of money received by him on behalf of said board from all sources, and shall at the same time deposit with the State Treasurer the entire amount of such receipts, and the State Treasurer shall place the money so received in a special fund, to be known as the "State Board of Chiropractic Examiners' fund," which fund is hereby created. Such fund shall be expended in accordance with law for all necessary and proper expenses in carrying out the provisions of this act, upon proper claims approved by said board or a finance committee thereof.

SEC. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor." or "D.C." immediately following his name, or the use of the letters "M.D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars and

not more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or both.

SEC. 16. Nothing in this act shall be construed to prohibit service in case of emergency, or the domestic administration of chiropractic, nor shall this act apply to any chiropractor from any other State or territory who is actually consulting with a licensed chiropractor in this State; provided, that such consulting chiropractor shall not open an office or appoint a place to receive patients within the limits of this State; nor shall this act be construed so as to discriminate against any particular school of chiropractic, or any other treatment; nor to regulate, prohibit or apply to any kind of treatment by prayer; nor to interfere in any way with the practice of religion. Nor shall this act apply to persons who are licensed under other acts.

SEC. 17. It shall be the duty of the several district attorneys of this State to prosecute all persons charged with the violation of any of the provisions of this act. It shall be the duty of the secretary of the board, under the direction of the board, to aid attorneys in the enforcement of this act.

SEC. 18. Nothing herein shall be construed as repealing the "Medical Practice Act" of June 2, 1913, or any subsequent amendments thereof, except in so far as that act or said amendments may conflict with the provisions of this act as applied to persons licensed under this act, to which extent any and all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 19. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The electors hereby declare that they would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

REVISED AND ADDITIONAL RULES AND METHOD OF PROCEDURE OF THE BOARD OF CHIROPRACTIC EXAMINERS OF THE STATE OF CALIFORNIA

Adopted January, 1929, amended February 6, 1932;
amended January 11, 1937, and amended
February 12, 1944.

RULE 1

According to statute, the Board shall meet as a Board of Examiners on the first Tuesday following the second Monday of January and July of each year. Special meetings may be called by the President, or Vice President, by giving five days notice in writing, by mail or telegraph of the time and place thereof. The Secretary shall notify the Board members in writing of all statutory meetings.

Rules of Order

RULE 2

Robert's Rules of Order shall govern the deliberations of the Board, in so far as they do not conflict with other rules that the Board may adopt, or with the laws of the State of California.

Minutes

RULE 3

The full proceedings of the Board, including the regular and special meetings, shall be typewritten and a copy supplied to each member of the Board. A court reporter shall be employed for all legal hearings and a copy of all transcripts, legal papers, etc., shall be kept on file in the office of the Board in Sacramento.

Change of Name

RULE 4

Any licensee shall be entitled to an endorsement under the signature of the Secretary and the Seal of the Board, to the effect that the name of the person holding said license has been changed according to law, since the issuance of said license, to the name appearing endorsed. The licensee shall re-register said license as endorsed with the county clerk or clerks where the original is recorded.

Annual Tax

RULE 5

Section 12 of the Chiropractic Act provides, that every licensee pay an annual tax of two dollars (\$2.00). Said tax is due on or before the first day of January of each year. Delinquency is operative sixty days after January first of any year, after which date the practitioner forfeits his license.

Forfeiture of License

RULE 6

Whenever a license is forfeited pursuant to section 12 of Statutes of 1923, page lxxxiii, the Secretary, shall without further order of the Board, give notice to the proper county clerk or clerks of the fact of said forfeiture.

It shall be the duty of all licensees to notify the Secretary of the Board of the county or counties in which his license is recorded.

Reciprocity

RULE 7

Applicants for reciprocity, whose applications are complete, and whose preliminary and professional education meet the general requirements of the California Chiropractic Act, and wherein the standard of such States is not in any degree or particular

less than were the requirements in the State of California in the same year, and the educational standards required by the rules of this board, shall be granted admission through licensure without examination, provided the license upon which reciprocity is based was obtained by examination and the applicant has practiced a year or more in the State which issued the license upon which reciprocity is based. Reciprocity quota established by board.

Advertisements

RULE 8

Constructive educational publicity is encouraged, but any licensee who uses, or causes to be used, advertising which contains misstatements, falsehoods, misrepresentations, distorted, sensational or fabulous statements, or advertising which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons constitutes grounds for the imposition of any of the following disciplinary penalties:

(a) Suspension of said licensee's right to practice in this State for a period not exceeding one year.

(b) Placing said licensee upon probation.

(c) Taking such other action, excepting the revocation of said licensee's license, in relation to disciplining said licensee as the board in its discretion may deem proper.

Before such disciplinary penalty is imposed, said licensee shall be afforded complete hearing in the manner set forth in Section 10 of the Chiropractic Act of California and rules and regulations of the board.

This rule is adopted pursuant to the provisions of Section 4 of the Chiropractic Act.

Change of Address

RULE 9

It shall be the duty of each licensee to keep the Secretary informed at all times of any change in his mailing address. Investigations will be made by

the Board of all licensees who do not furnish legitimate business or residence addresses. Post office box numbers will be considered as insufficient, except in remote districts.

Illegal Practice

RULE 10

Any person who shall practice chiropractic in California from and after the date of the adoption of these rules of procedure and before receiving a license from the Board of Examiners so to do, shall, upon proof satisfactory to the Board thereof, be refused permission to write the examination at any time; and, shall forfeit his or her right for licensure through reciprocity.

Law Violators

RULE 11

It shall be the duty of the licensees to notify the Secretary, or any member of the Board, of any law violation or any infringement of the act, that correction of this evil be speedily met and dealt with.

RULE 12

Any licensee failing to conform with subsections (a), (b) and (c) of section 11 of the Chiropractic Act after receiving due notification by the Secretary of the Board so to do, shall be cited to appear before the Board to show cause why his or her license should not be revoked.

RULE 13

In compliance with the inferential meaning of section 4, subsections (b) and (e) of the Chiropractic Act, it shall be the duty of the Board to empower its Secretary to employ such assistants as

may be expedient and necessary for and in the performance of the work of the Board in carrying out legitimately the provisions of the act; the salaries of permanent assistants shall be fixed by the Board.

RULE 14

The act provides a penalty for anyone who shall practice chiropractic in this State unless he be duly licensed by the State Board of Chiropractic Examiners so to do. Hence the head of any and all chiropractic schools and colleges will be held in strict accountability who shall permit its senior students, or any student, when assigned to clinic duty, to participate in said clinic instruction or practice without a duly licensed chiropractor in charge of said clinic instruction, at all times.

Temporary Permits

RULE 15

The California act does not provide for the granting of temporary permits.

Applications for Examination

RULE 16

Applications must be completed on the forms furnished by the Board, with the required fee of twenty-five dollars (\$25), and photostats of applicants, diplomas, and credentials required, and the same to be filed in the office of the Board in Sacramento at least fifteen days before a meeting.

Refund of Fees

There is no provision in the law whereby the Board is authorized or permitted to return any portion of the application fee of twenty-five dollars (\$25).

BOARD OF CHIROPRACTIC EXAMINERS OF THE STATE OF CALIFORNIA

APPLICATION FOR LICENSE TO PRACTICE CHIROPRACTIC

[THE FOLLOWING QUESTIONS MUST BE ANSWERED]

The Striking Out of Any Word or Words of, or the Addition of any Word or Words to, This Application Will Render It Null and Void

I HEREBY MAKE APPLICATION for a license to practice Chiropractic in accordance with the Chiropractic Act, and the rules of the Board of Chiropractic Examiners of the State of California, and herewith enclose fee of Twenty-five dollars (\$25). (Personal checks not accepted. Remit by Bank Draft, Certified Check, Post-Office or Express Money Order.) I understand that should I be accepted, but fail in my examination, there is no provision of law for a refund, but, that I am entitled to one reexamination only, in the subjects in which I fail, without additional fee, providing that I appear at the next Statutory meeting of the Board for said reexamination. I understand also that I must notify the Secretary of the Board at least fifteen days prior to said Statutory meeting of my intentions.

1. Name in full _____ Street address _____
P. O. Box or General Delivery not accepted
2. City _____ State _____
3. Date of birth _____ Place of birth _____
Age at this date _____
4. Have you any minor or physical defects or ailments? If so, submit details with this application _____
5. Of what high school or college are you a graduate _____
6. Do you hold a diploma from the above named institution? _____
7. Give date of graduation _____ Give age at graduation _____
8. If no high school or college diploma, then proof of preliminary education in training power to a high school course, satisfactory to the Board must accompany this application.
9. Did you attend any institution preceding your matriculation with the Chiropractic School of which you are a graduate, teaching Therapeutics? _____ If so, give name, address and hours of attendance _____
10. Name and location of Chiropractic School from which you graduated _____

11. Give date of matriculation_____ Date of graduation _____
12. How many class hours did you attend?_____
13. What was the duration of the class hour?_____
14. Was residence attendance strictly required during the completion of the hours stated in question 11? _____
15. Was the Chiropractic School of which you are a graduate equipped with laboratories?_____ If so, name them_____
16. What text books were used covering the subjects required by the California Chiropractic Act? _____ Name them _____
17. Was instruction in subjects other than those set forth in the California Chiropractic Act taught? _____ Name them _____
18. Do you hold a license to practice any science? _____ Where? _____ Give full particulars_____
19. Name of any other Chiropractic School attended _____ Date of matriculation_____ Date of graduation_____
20. In case you did not graduate from any Chiropractic School named in question 18, why did you leave the institution before graduation? _____
21. Have you at any time practiced Chiropractic in California without a license?_____ Where? _____
22. Have you at any time practiced Chiropractic without a license in any State where Chiropractic was legally recognized? If so, when? _____ In what State?_____
23. Were you ever arrested for practicing Chiropractic without a license?_____ When? _____ Where? _____
24. Were you ever convicted of practicing medicine without a license?_____ When?_____ In what State?_____
25. Have you ever held a license to practice Chiropractic in any State or country previous to this date?_____ If so, what State?_____
26. If you do now hold, or have ever held a license to practice Chiropractic or any other branch of the healing arts, has said license ever been suspended or revoked?_____ Give full details_____
27. Have you ever been charged with a violation of a United States statute?_____

28. Have you ever been convicted of a crime involving Moral Turpitude?-----If so, full details must accompany this application.-----
29. How were you employed during the last five years immediately preceding your matriculation with the Chiropractic School you attended or of which you are a graduate?-----
Employer's name-----Address-----

The Filing of This Application Does Not Grant any Special Privilege to Open an Office or Engage in the Practice of Chiropractic in California

Important Notice

This application with Twenty-five Dollars (\$25), and photostatic copies of High School or College Diplomas, or entrance validation certificates, and Chiropractic School or College Diplomas, to be the size of 8 x 10 inches must be attached to this application and filed in the office of the Secretary of the Board of Chiropractic Examiners located in Sacramento, California, not later than fifteen days preceding the date of the meeting of the Board.

FIRMLY PASTE HERETO A PHOTO THIS EXACT SIZE

Photos (3 x 4) of applicant taken within 60 days next preceding the date of this application must be attached here.

Bust size. Not full length.

"Proofs" not acceptable.

Applicant must also furnish a DUPLICATE PHOTO endorsed across the front by signature and bearing on the back the "paster" carrying the affidavit of the applicant.

Certificate of Applicant

I HEREBY CERTIFY, That I am the applicant mentioned in the foregoing application; also certify that the photograph attached hereto is a true likeness of myself taken on or about the-----day of ----- 19----- my age being-----years, -----months, -----days, and that the following physical description of myself is accurate:

Race -----
Native -----
Height -----
Complexion -----
Color of hair -----
Color of eyes -----
Marks -----

STATE OF----- } ss.
COUNTY OF----- }

-----being duly sworn, says --he is the person referred to in the foregoing application for a license to practice Chiropractic in California and that --he has carefully read and thoroughly understands this affidavit and that the statements above are strictly true in every respect.

Signed and sworn to before me this-----
day of-----19-----

[SEAL] Notary Public
My commission expires-----19-----

Certificate of Moral Character

MUST BE SIGNED BY TWO REPUTABLE CITIZENS

THIS CERTIFIES, That I have been personally acquainted with----- for----- years and that I know h----- to be of good moral character and hereby recommend h----- to the Board of Chiropractic Examiners of the State of California as a most worthy person to be issued a license to practice Chiropractic in the State of California.

Name -----Address-----
Name -----Address-----

(No person shall sign this recommendation who is officially connected with a Chiropractic School or is not personally acquainted with the applicant and who is not willing to furnish additional information concerning his or her character, education and standing on request of the Board.)

School or College Certificate

STATE OF----- } ss.
COUNTY OF----- }

I, -----
being duly sworn, depose and say: I am in possession and control of the records of student attendance of the-----
Chiropractic School or College and said records disclose that -----
a resident of-----entered this

institution on the _____ day of _____ 19____
and was graduated on the _____
day of _____ 19____ completing _____ hours
of _____ minutes each, residence attendance;
that the class room and laboratory instruction in
subjects and hours attended and completed by said
_____ are as follows:

Anatomy	_____ hours
Histology	_____ hours
Elem. Chem. and Toxicology	_____ hours
Physiology	_____ hours
Bacteriology	_____ hours
Hygiene and Sanitation	_____ hours
Pathology	_____ hours
Diagnosis or Analysis	_____ hours
Chiropractic Theory and Practice	_____ hours
Obstetrics and Gynecology	_____ hours
Signed _____	Title of office _____
School or college _____	(college seal)
City _____	State _____

Subscribed and sworn to before me this _____
day of _____ 19____

[SEAL]

Notary Public in and for the
County of _____
State of _____

My commission expires _____ 19____

Cash suspense receipt _____
Received _____
Examined _____
Cash state receipt _____
License No. _____
Date _____

"PRELUDE"

The Board of Chiropractic Examiners, realizing California's imperative need of chiropractors who have received the preliminary educational foundation required by the act, and who have also received the maximum instruction in the chiropractic schools or colleges attended, including in this instruction the recognition, treatment, and prevention of diseases, and that graduates therefrom be thoroughly equipped for their professional duties, and further, that inasmuch as it is required by the act of the applicant, that he shall make "Application upon such form and in such manner as may be provided by the Board, and shall present to the Board at the time of making such application, a diploma from a high school, or proof, satisfactory to the Board, of education, equivalent in training power to a high school

course." Therefore the following rules on "educational requirements" are hereby adopted, and it is requested that all chiropractic schools or colleges enrolling students, and preparing students for the State Board examinations be governed thereby.

Preliminary Educational Requirements

RULE 17

(1) The admission to examination for licensure shall be based upon the applicant furnishing to the Board satisfactory proof of having completed a four (4) year course of at least sixteen (16) units in a standard high school, or other institution of standard secondary school grade accompanied by a diploma, or the equivalent as demonstrated by examination conducted by the authorized validating officers appointed by the Board.

(2) Documentary evidence of the student's preliminary education must be obtained, and a copy of same, with a transcript of the entrant's work, including the questions prepared by the Examiner, together with the answers of the entrant in his own handwriting, must be kept in the file of the Examiner, and correct copies of the above forwarded by the Examiner to the Office of the Board in Sacramento for filing.

(3) Credits for admission may be counted as a part of the chiropractic school or college requirements for the issuance of its diploma.

(4) Advanced standing may be granted to students for work done in other acceptable schools or colleges. Official verification of the student's previous work should be obtained by direct correspondence with the school or college he or she previously attended, and a signed statement by the dean or registrar, bearing the seal of the institution, accompanied by the information that the applicant for admission has attended specific classes in subjects (therein named), and devoted hours (also therein specified), and furnished specific information relative to the student's standing in the subjects taken, including a statement of the

student's decorum in said institution, and his preliminary qualifications should be recorded the same as for freshman entrance, a copy of said stipulated information should be forwarded to the Board for its approval.

(a) The required number of academic hours of attendance in any Chiropractic School or College in the State of California will be four thousand (4,000) for all students matriculating after March 1, 1944.

The academic hour is established at sixty (60) minutes or the equivalent thereof.

Educational Requirements

Anatomy -----	900 hours
Histology -----	150 hours
Chemistry and Toxicology -----	150 hours
Physiology -----	300 hours
Bacteriology -----	150 hours
Hygiene and Sanitation -----	150 hours
Pathology -----	300 hours
Diagnosis -----	600 hours
Chiropractic Theory -----	750 hours
Obstetrics and Gynecology -----	150 hours
Electives -----	400 hours

Suggested electives are as follows:

Physics	Business English
Physiotherapy	Chiropractic
	Jurisprudence

Maximum number of hours per week—thirty-five.
Maximum number of hours per year—1365, making a total of three years—of 39 weeks each year.

Students must present a high school diploma or equivalent upon matriculation in a California chiropractic school or college. The Dean or Registrar shall immediately file same in the Office of the Secretary of the Board of Chiropractic Examiners at Sacramento.

(b) The Dean or Registrar of all Chiropractic Schools shall immediately notify the Secretary of the Board of Chiropractic Examiners when students matriculate, and shall make a quarterly report to the Secretary:

1. Giving the names of all students.
2. Number of class hours attended.
3. Subjects studied.

(c) All students shall have at least fifty (50) per cent vision and hearing, and no major physical defects.

(d) All Chiropractic State Board examination questions shall be based on four thousand (4,000) hour class attendance. All questions to be taken from standard textbooks.

(e) The Board of Examiners will expect all schools to have adequate facilities for teaching the subjects required by law, plus electives.

(f) The evaluation of all hours shall be made by the Chiropractic Board of Examiners.

Professional and Educational Requirements

RULE 18

(1) It is further advised that each chiropractic school or college shall be carefully and intelligently supervised by the dean or other executive officer, who holds, or has, sufficient authority to carry out fair ideals of the schedule of minimum educational requirements in hours and subjects prescribed by the act, and in the teaching of the subjects in conformity with the spirit and intent of the California Chiropractic Act.

(2) We advise further that an accurate system of records be kept if not already in operation, showing conveniently and in detail the credentials, attendance, grades and accounts of the student by means of which an exact knowledge can be obtained regarding each student's work.

(3) We recommend that the courses offered should be set forth by and through actual laboratory departments, covering subjects required by the act, together with a corps of competent full time instructors (whose salaries are not dependent upon the graduation of students), and adequate to the teaching of the subjects required by the act, and also adequate to the accommodation of the students pursuing the said subjects. The use of standard textbooks covering all subjects is also recommended.

(4) Students should have access to a working library maintained in the school or college building, which includes modern text and reference books for the student's use.

(5) Clinical work in chirepraactic theory and practice should include the following: Palpation and adjusting, chiropractic philosophy and symptomatology, physical diagnosis or analysis as to skeletal distortions and posture, nervous and communicable diseases and chiropractic jurisprudence based upon application of principles of law, to relation between doctor and patient.

RULE 19

No licensee of chiropractic in the State of California shall offer or cause to be offered to a student, or prospective student of chiropractic any promise or inducement either written or verbal, which may induce said student or prospective student to believe that he or she, during his or her freshman, sophomore or senior years, or within the time that he or she shall be a student in, and/or before graduation from chiropractic school or college, and/or before receiving a license from the State Board of Chiropractic Examiners, may be legally employed in any chiropractic, private office, or chiropractic school or college, to practice chiropractic, with or without compensation, and no student shall accept or rely upon any such promise or understanding, except that senior students only, may for professional instruction, be assigned to regular clinic practice, during the regular clinic hours, in the clinic conducted upon the premises of a regularly incorporated chiropractic school or college, and then only when said clinic is in charge of a duly licensed chiropractor as clinic instructor. Violation of this rule by any student shall be deemed to be also a violation of Rule 10.

RULE 20

In the preparation and correction of examination papers each examiner will be allowed compensation on the basis of the per diem schedule.

Examinations

When seated in examination room, each applicant will receive an identification envelope wherein he will find three printed slips of paper. Said applicant will write his name and address as provided on each of these three slips of paper, specifying thereon where mail may reach him within six weeks after the date of examination. Applicants will insert all of said slips in the identification envelope, and seal the envelope which will be collected by one of the watchers.

The applicant will remember the number on the envelope which has been handed in, and will inscribe same on each examination paper, together with (a) subject of examination, (b) place of examination and (c) date of examination.

Disclosure of examination number will disqualify the applicant.

The questions of the first examination will be distributed as soon as the identification envelopes have been collected.

During the examination, no applicant will be permitted to have on the table, whereupon he is writing, any paper, or object other than the examination questions, examination paper, a blotter furnished by the Board, pen and ink, an eraser and a watch.

No applicant will be permitted to communicate in any way with any other applicant, nor will he be permitted to question any examiner in reference to or interpretation of the questions under consideration. Applicants must rely solely upon their own judgment as to the meaning of each question, and on their own knowledge of the subject in answering. Any disturbance on the part of the applicant will disqualify said applicant and he will be required to leave the examination room.

Immediately upon completion of correction of the examination papers, each examiner will forward his report to the office of the Board in Sacramento, entering on the form adopted by the Board, the percentage gained by each applicant. Each

examiner will enter on said report the subject of examination, sign and date as of date of report.

The corrected examination papers shall at the same time be returned to Sacramento via express, and kept on file for a period of three years.

The Secretary shall make the report sheets of examiners a permanent record and the results marked entered thereon shall be transferred into the examination record book for final compilation of the complete record of each specific examination.

The law requires the affirmative vote of three members of the Board to authorize the issuance of any license.

RULE 21

In accordance with the opinion of the Attorney General of the State of California, and statutes regulating the rights of minors, no applicant under the age of twenty-one (21) years of age may be admitted to examination before the State Board of Chiropractic Examiners for licensure to practice chiropractic in California.

Revocation and Refusal of Licensure

Any person may in the manner provided by law, file with the Board, a complaint charging any licensee or applicant for licensure, with having violated the provisions of the Chiropractic Act coming within the jurisdiction of the Board. Said complaint must be verified and shall specify the acts complained of in detail sufficient to advise the person charged, of the acts to be met. The person complaining shall be known as the plaintiff, and the person complained of shall be known as the defendant. Upon the filing of a complaint and an agreement in writing addressed to the Board, with security or deposit of money as may be required by the Secretary, to the effect that the plaintiff will pay all costs and expense as hereinafter provided for, the Secretary shall issue a citation under his signature and the seal of the Board, directed to

and requiring the defendant to be and appear at a time and place certain, but not within thirty days of date of service thereof, unless the Secretary of the Board shall by special order direct the time to be shortened, there to stand trial and defend against said complaint. The plaintiff shall cause said citation and complaint to be served upon the defendant by delivering to and leaving with the defendant personally a true copy of each said citation and complaint, in accordance with sections 410 and 411 of the Code of Civil Procedure of the State of California. No answer shall be required of any defendant and all of the allegations of the complaint shall be deemed denied; but the defendant, if licensed, shall before time of trial, deliver his certificate of license to the Secretary of the Board to be by him held to the order of the Board. A court reporter shall be employed for all hearings.

Except in cases where complaint is filed pursuant to the order of the Board, all expense of conducting the trial, excepting the compensation of the members of the Board, including the expenses incurred by the parties, shall be borne by the parties respectively, as the same are incurred, with the provision that the cost and expense of service of citation complaint, and subpoenas, hall rent, light, janitor service and the compensation of a court reporter, including the expense of furnishing the Board with an original transcript of testimony taken and copies of exhibits, shall be at the expense of the plaintiff. In all cases not coming within the exception, before proceeding with a hearing, the Board shall require the plaintiff to deposit with the appointed court reporter sufficient funds to cover the court reporter's charges for his services including the delivery to the Board of said original transcript of testimony and copies of exhibits. All original transcripts of testimony and copies of exhibits shall be certified to by the court reporter and shall be filed with the Board and shall remain on file in the office of the Secretary as permanent record.

The plaintiff and the defendant may be represented in all proceedings by attorneys at law who are licensed to practice as such before all the courts in the State of California.

The order of trial shall be the presentation of the evidence alternatively offered on the part of the plaintiff and then the defendant, until the taking of evidence is closed; whereupon the cause shall be argued orally if the parties so desire, and the cause thereupon stand submitted for decision. Upon submission of the cause, the Board shall go into executive session for consideration and adjudication thereof. Upon adjudication, each party, or their attorneys, shall be notified in writing by mail addressed to the last known places of address, of the Board's judgment.

In the event of proceedings being taken before any court, for the purpose of reversing the effect of any judgment made by the Board, the person in resistance to the person prosecuting said court proceeding shall satisfactorily to the Board, provide for the discharge of all cost and expense involved in resisting said court proceeding, otherwise the Board will default therein at its discretion.

Depositions

Testimony of witnesses may be taken in three modes: (1) by affidavit; (2) by deposition; (3) by oral examination.

An affidavit, in addition to the purposes provided for in the Chiropractic Act, may be used to verify a complaint and to prove the service of citation, complaint or subpoena.

A deposition is a written declaration, under oath, made upon notice to the adverse party, for the purpose of enabling him to attend and cross-examine. The failure of the adverse party to appear at the taking of a deposition of a witness, after notice, shall be deemed to be a waiver of the right to cross-examine.

An oral examination is an examination in the presence of the Board on notice to the plaintiff and the defendant.

Deposition of witnesses in this State shall be taken before a member of the Board, or an officer having a seal and qualified by law to administer oaths and to take depositions under the laws of this State, who shall for the purpose be appointed by the Secretary of the Board.

Depositions of witnesses out of the State shall be taken before an officer having a seal and qualified to administer oaths and authorized to take depositions in the State where the deposition is taken.

The officer before whom a deposition is to be taken shall be appointed by written order of the Secretary of the Board, made and signed in triplicate under the seal of the Board; one triplicate to remain in the files of the Board, one triplicate to be forwarded to the officer appointed thereby, to be affixed by him to the deposition when taken, and returned therewith to the Board, and one triplicate to be delivered to and served upon the adverse party. Said order shall specify the name and title of the officer appointed and the time and place of the taking of the deposition, and the name and address of the witness who is to be examined.

The party desiring to take the deposition of a witness shall make and file with the Board, a demand for the same in triplicate in substantially the following form:

Title of Proceeding.

Demand for Deposition

The undersigned hereby demands that the deposition of _____, a witness herein, residing at _____, State of _____, be taken at the expense of said undersigned.

(Signature) _____
Plaintiff (or Defendant).

The cost and expense of taking a deposition shall be paid by the party on whose behalf the same is taken, except in cases where the deposition is ordered by the Board.

Said order and demand shall be served personally upon the adverse party if he can be found, otherwise, by delivering the same to the Secretary of the Board, with an affidavit showing that due and diligent search and inquiry for said adverse party has been made at all places where it is likely that said adverse party could be found, whereupon the Secretary shall mail order and demand with postage prepaid thereon, to the adverse party at the last known place of address thereof.

The appointment of officer before whom a deposition is to be taken, made by the Secretary, shall be by order. The said order shall bear the title of the cause and shall be entitled as "Order for Deposition." Said order for deposition in addition to other requirements, shall set forth the name and official title of the officer before whom the deposition is to be taken and the name and address of the witness, and shall be in substantially the following form:

Title of Proceeding.

Order for Deposition

Pursuant to demand therefor, it is ordered that the deposition of:-----, a witness herein, residing at-----, State of -----, be taken before-----, a notary public or the like, and an officer having a seal and qualified under the laws of the State of -----to administer oaths and to take depositions therein. Said depositions when taken shall be annexed hereto and returned by said officer to the State Board of Chiropractic Examiners at the office thereof in the City of Sacramento, County of Sacramento, State of California, in a sealed envelope by registered mail. The

expense of taking said deposition to be prepaid by the party demanding the same, to wit:-----

(Name)

Witness my hand and the seal of the State Board of Chiropractic Examiners of the State of California, the----- day of-----, 19-----.

Secretary of the State Board of Chiropractic Examiners of the State of California.

No deposition shall be taken except upon five days notice, with one additional day for each one hundred miles of travel from the last known place of address of the adverse party, unless the Secretary of the Board shall by special order direct the time to be shortened. The Secretary of the Board shall have power by special order to direct that the time of notice of taking of deposition be shortened; and the Secretary of the Board shall have full discretion to arrange the time and place of taking depositions to facilitate the taking of depositions as appears to him to be to the best advantage and convenience of the parties.

Said order shortening time shall be made in triplicate: one triplicate shall be filed with the Board, one triplicate shall be annexed to said order for deposition, and one triplicate shall be served upon the adverse party together with said demand and order. Said order shortening time shall be substantially in the following form:

Order Shortening Time

Good cause appearing therefor, it is ordered that the time of notice of taking the deposition mentioned in the annexed order be shortened so that said notice may be served without unnecessary delay and said deposition taken at the time and place therein provided.

Secretary of the State Board of Chiropractic Examiners of the State of California.

All depositions shall be returned by the officer before whom the same is taken, directly to the Secretary of the Board, in sealed envelopes by registered mail. Said depositions shall remain sealed until opened by the Secretary under the order of the Board at a hearing of the matter in which the deposition is taken.

Whenever a deposition is taken before a member of the Board, the member shall use the seal of the Board as and for his seal.

FOREWORD

The new Business and Professions Code enacted by the Fifty-second Legislature codified the State Medical Practice Act, (Statutes of 1913, Chapter 354, page 722) the Diploma Mill Bill, (Statutes 1927, Chapter 79, page 136) and the Political Code sections relating to the Department of Professional and Vocational Standards (Political Code, secs. 377 to 377n), as well as certain other laws relating to the practice of medicine, *surgery, and chiropractic credentials*.

The Business and Professions Code, itself, including the provisions covering the Diploma Mill Bill, was enacted by Chapter 399 of the Statutes of 1937.

This compilation does not cover all the provisions of the Code. Only those provisions relating to *illegal or fraudulent chiropractic credentials are included*.

CHAPTER 399

An act to establish a Business and Professions Code, thereby consolidating and revising the law regulating and protecting private business and licensed professions and callings and penalizing violations thereof, and to repeal acts and parts of acts specified herein.

[Approved by the Governor June 15, A. D. 1937.]

The people of the State of California do enact as follows:

GENERAL PROVISIONS.

Article 4. Frauds of Medical Records

580. No person, company or association shall sell or barter or offer to sell or barter any medical degree, or osteopathic degree, or *chiropractic degree*, or any degree, certificate or transcript made or purporting to be made pursuant to any laws regulating the licensing and registration or issuing of a certificate to physicians and surgeons, drugless practitioners, chiropodists, midwives, osteopathic physicians and surgeons or drugless practitioners, *chiropractors* or persons lawfully engaged in any other system or mode of treating the sick or afflicted.

581. No person, company or association shall purchase or procure by barter or by any unlawful means or method, any diploma, certificate or transcript, with intent that it shall be used as evidence of the holder's qualifications to practice as a physician and surgeon, a naturopath, a drugless practitioner, a chiropodist, or a midwife or any other system or mode of treating the sick or afflicted as provided in the State Medical Practice Act or in Chapter 5 of Division II of this code, relating to the practice of medicine, or in any fraud of the law regulating this practice or shall with fraudulent intent, alter in a material regard, any such diploma, certificate, or transcript.

582. No person, company or association shall use or attempt to use any diploma, certificate, or transcript which has been purchased, fraudulently issued, illegally obtained, counterfeited or materially altered, either as a certificate or as to character or color of certificate, to practice as a physician and surgeon, naturopath, drugless practitioner, chiropodist or midwife, osteopathic physician and surgeon or a drugless practitioner, *chiropractor* or to practice any other system or mode of treating the sick or afflicted, provided in the State Medical Practice Act or in Chapter 5 of Division II of this code, relating to the practice of medicine.

583. No person shall in any affidavit required of an applicant for examination, license, certificate or registration under the State Medical Practice Act or under Chapter 5 of Division II of this code, relating to the practice of medicine, the Osteopathic Initiative Act, or the *Chiropractic Initiative Act*, wilfully make a false statement in a material regard.

584. No person shall impersonate or attempt to impersonate another in any examination for a certificate to practice as provided in the State Medical Practice Act or in Chapter 5 of Division II of this code, relating to the practice of medicine, the Osteopathic Initiative Act, or the *Chiropractic Initiative Act*, or under any other law providing for the regulation of any other system or method of treating the sick or afflicted in this State.

585. Any person, company or association violating the provisions of this article is guilty of a felony and upon conviction thereof shall be punishable by a fine of not less than one thousand dollars (\$1,000) nor more than three thousand dollars (\$3,000), or by imprisonment in the State prison for a term of not less than one year nor more than three years, or by both such fine and imprisonment.

Assembly Bill No. 1519

CHAPTER 629

An act to add Sections 3209.3, 3209.5 and 3209.6 to, the Labor Code, relating to workmen's compensation and insurance.

[Approved by Governor May 31, 1945. Filed with Secretary of State May 31, 1945.]

The people of the State of California do enact as follows:

SECTION 1. Section 3209.3 is added to the Labor Code, to read:

3209.3. Physician includes physicians and surgeons and osteopathic and chiropractic practitioners licensed by California State law and within the scope of their practice as defined by California State law.

SEC. 2. Section 3209.5 is added to said code, to read:

3209.5. Medical, surgical, and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches, and apparatus, includes but is not limited to services and supplies by osteopathic and chiropractic practitioners as licensed by California State law and within the scope of their practice as defined by law.

SEC. 3. Section 3209.6 is added to said code, to read:

3209.6. The inclusion of chiropractors in Sections 3209.3 and 3209.5 does not imply any right or entitle any chiropractor to represent, advertise, or hold himself out as a physician.

Assembly Bill No. 1610

CHAPTER 632

An act to add Section 1001 to the Business and Professions Code, relating to chiropractors.

[Approved by Governor May 31, 1945. Filed with Secretary of State May 31, 1945.]

The people of the State of California do enact as follows:

SECTION 1. Section 1001 is added to the Business and Professions Code, to read :

1001. In each year, the State Board of Chiropractic Examiners shall compile and may thereafter publish and sell a complete directory of all persons within the State who hold unforfeited and unrevoked certificates to practice chiropractic, and whose certificate in any manner authorizes the treatment of human beings for diseases, injuries, deformities, or any other physical or mental conditions.

The directory shall contain :

(a) The following information concerning each such person.

1. The name and address of such person.
2. The names and symbols indicating his title.
3. The school, attendance at which qualified him for examination or admission to practice.
4. The date of the issuance of his certificate.

(b) The annual report of the board for the prior year.

(c) Information relating to other laws of this State and the United States which the board determines to be of interest to persons licensed to practice chiropractic.

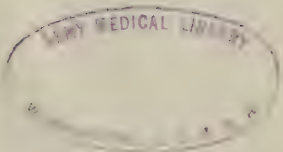
(d) Copies of opinions of the Attorney General relating to the practice of chiropractic.

(e) Copy of the provisions of this chapter and copy of the act cited in Section 1000.

The board may require the persons designated in this section to furnish such information as it may deem necessary to enable it to compile the directory. Every person so designated shall report immediately each and every change of residence, giving both his old and new address.

The directory shall be evidence of the right of the persons named in it to practice unless his certificate to practice chiropractic has been canceled, suspended or revoked. The board may collect from each person who voluntarily subscribes to or purchases a copy of the directory the cost of publication and distribution thereof.

O





THE
LIBRARY OF THE
MUSEUM OF
COMPARATIVE ZOOLOGY
AND ANATOMY
HARVARD UNIVERSITY
CAMBRIDGE, MASS.
1210



**PRESSBOARD
PAMPHLET BINDER**



Manufactured by
GAYLORD BROS. Inc.
Syracuse, N. Y.
Stockton, Calif.

WB 32 AC2 L4a 1945

32110180R



NLM 05150521 8

NATIONAL LIBRARY OF MEDICINE